

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

Michael Sean Seely,	)	Civil Action No. 6:16-cv-03743-TLW
	)	
Plaintiff,	)	
	)	
v.	)	
	)	<b>ORDER</b>
Nancy A. Berryhill, Acting Commissioner	)	
of Social Security Administration,	)	
	)	
Defendant.	)	
_____	)	

Plaintiff Michael Sean Seely, brought this action pursuant to Section 1631(c)(3) of the Social Security Act, as amended (42 U.S.C. 1383(c)(3)), to obtain judicial review of the Commission of Social Security denying his claim for supplemental security income benefits under Title XVI of the Social Security Act. ECF No. 1. This matter is before the Court for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Kevin F. McDonald, to whom this case was previously assigned pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(a), (D.S.C.). In the Report, the Magistrate Judge recommends the decision of the Commissioner be reversed and remanded to the Commissioner for further consideration. ECF No. 19. The Commissioner filed notice that she does not object to the Report, ECF No. 21, and no other objections were filed.

This Court is charged with conducting a *de novo* review of any portion of the Magistrate Judge’s Report to which a specific objection is registered and may accept, reject, or modify, in whole or in part, the recommendations contained in that Report. 28 U.S.C. § 636. In the absence of objections to the Report, this Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). In such a case, “a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is

no clear error on the face of the record in order to accept the recommendation.”” *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

In light of the standard above, this Court has carefully reviewed the relevant record, including the Report. Noting that the Commissioner does not object to the Report, the Report, ECF No. 19, is hereby **ACCEPTED**. For the reasons articulated by the Magistrate Judge, the Commissioner’s decision is **REVERSED**, and this case is **REMANDED** for further consideration consistent with this Order and the Report.

**IT IS SO ORDERED.**

*s/Terry L. Wooten*  
Chief United States District Judge

February 14, 2018  
Columbia, South Carolina